

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY
TO THE DISSOLVED LYNWOOD REDEVELOPMENT AGENCY**

MINUTES

**REGULAR MEETING
TUESDAY, JUNE 5, 2012
3:00 P.M.**

**COUNCIL CHAMBERS
LYNWOOD CITY HALL
11330 BULLIS ROAD, LYNWOOD, CA 90262**

1. CALL TO ORDER

The meeting was called to order at 3:09 p.m.

2. CERTIFICATION OF AGENDA POSTING BY CITY CLERK

Ms. Kristina Santana, Deputy City Clerk, confirmed that the Agenda was posted correctly.

3. ROLL CALL OF BOARD MEMBERS

Board Members Present

Chair Luis Valenzuela
Vice Chair Dr. Keith Curry (arrived at 3:13 p.m.)
Board Member Malcolm Bennett
Board Member Bruno Naulls
Board Member Michelle Banks-Ordone
Board Member Sarah Magana Withers
Board Member Peter Wong

4. PLEDGE OF ALLEGIANCE

Chair Valenzuela led the Pledge of Allegiance

5. PRESENTATIONS

There were none.

PUBLIC ORAL COMMUNICATIONS

(Regarding Agenda Items Only)

There were no public comments.

NEW BUSINESS

6. MINUTES OF PREVIOUS MEETINGS:

Regular Meeting- April 23, 2012
Special Meeting-May 2, 2012

On motion of Board Member Bennett, seconded by Board Member Naulls, with Board Member Curry being absent, the Minutes of April 23, 2012 and May 2, 2012, were approved with the following amendments:

May 2, 2012, Line Item 6: Adoption of a second Recognized Obligation Payment Schedule (ROPS) and amendment to the first Recognized Obligation Payment Schedule (ROPS) - add the following "Abstention: Board Member Banks-Ordone for Line Item 57: Project Name: Bond Funded Projects and any items that may be a conflict of interest."

7. LEGAL STATUS AND ROLE OVERVIEW

Olivia Segura, Deputy Director of Community Development, provided an overview of the staff report disseminated to the Board. She stated that Staff recommended that the Oversight Board receive an overview from the Successor Agency's (SA) Legal Counsel regarding the legal status, immunity and role of the Oversight Board for informational purposes only.

Chair Valenzuela added that there is no additional funding for Legal Counsel Services. Ms. Segura referred to a memo dated May 3, 2012 from the Los Angeles County Auditor - Controller's Office clarifying that Legal Counsel fees are to be listed in the Administrative Budget. The Department of Finance (DOF) has stated that Legal Counsel Fees are part of the 5% or 3% Administrative Fees of the SA.

Ms. Olivia Segura also reviewed the California Health and Safety Code Section 34179 which clarified that Oversight Board Members have personal immunity from suit for their actions taken within the scope of their responsibilities as Board Members. Fred Galante, City Attorney, clarified the definition of the term indemnity and stated that it is basically a law that protects a party from doing something and that outside Legal Counsel would be equipped with this indemnification provision from ABX1 26.

Board Member Naulls stated that the SA did receive a memo from the DOF stating that several items were removed from the ROPS and that the DOF requested additional documentation. Board Member Withers added that the SA is planning on responding to the DOF and that compared to the amount of items on the ROPS submitted to the DOF, there were just a few rejections; however, the rejections were substantial. Board Member Withers recommended that the Board continue this discussion to allow time for the SA staff to respond to the

DOF's request for additional documentation. At that time, the Board will have a better understanding of what may be available, if anything, in the Administrative Budget.

Chair Valenzuela requested an estimate of cost if Legal Counsel was retained. Mr. Fred Galante, City Attorney, stated that there are very few attorneys that are knowledgeable in this area of law and that do not have a conflict; the rates are approximately \$250 an hour. Board Member Banks-Ordone requested SA Staff verify with City Procurement Staff if a vendor list of available Legal Counsel exists in order to save time in the event that the Board does need to retain Legal Counsel.

Board Member Wong requested SA Staff provide regular updates on the communication with the DOF and forward responses to the Board.

On motion of Board Member Naulls, seconded by Board Member Curry, unanimously carried, this item was received and filed.

In addition, the following requests were made:

- 1. Chair Valenzuela requested an estimate of what costs may be if Legal Counsel was retained.**
- 2. Board Member Banks-Ordone requested SA Staff to verify with City Procurement Staff if a vendor list of available Legal Counsel exists in order to save time in the event that the Board requires Legal Counsel.**
- 3. Board Member Wong requested staff provide regular updates on the communication with the DOF and forward responses to the Board.**

OVERSIGHT BOARD ITEMS

There were none.

ADJOURNMENT

On motion of Board Member Naulls, seconded by Board Member Banks-Ordone, unanimously carried, the meeting was adjourned at 3:35 p.m.